



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

News Media Information: (202) 418-0500
Fax-On-Demand: (202) 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 00-813
April 11, 2000
**Corrected Copy

ENFORCEMENT BUREAU FIELD OPERATIONS LIST OF ACTIONS TAKEN

The following is a list of actions taken by the Enforcement Bureau's Field Offices during the period March 1, to March 31, 2000. During this period, the Field Offices issued two (2) Notices of Apparent Liability ("NALs"), 99 Notices of Violation ("NOVs"), and three (3) Citations for violations of the Communications Act of 1934, as amended, 47 U.S.C. Section 151, *et seq.*, and/or the FCC's Rules.

Of the two NALs issued, one was for violation of Sections 301 and 303(n) of the Communications Act, while the other was for violation of Emergency Alert System and antenna structure regulations.

More than half of the NOVs issued were for violations of the Commission's Emergency Alert System (EAS) rules and the antenna structure registration, marking, and lighting requirements. Of the 99 NOVs issued by the Bureau's 25 Field Offices in March, 23 were for EAS violations and 35 were for violations of the Commission's antenna structure registration, painting and lighting regulations. Continued violation of these (and other) FCC rules could lead to more serious enforcement action.

This list is provided for information purposes only. Parties wishing to make a payment or file a response to a Notice of Apparent Liability (NAL) or to file a response to a Notice of Violation (NOV) or Citation must do so in accordance with the instructions and by the deadline set forth in the NAL, NOV, or Citation.

NOTICES OF APPARENT LIABILITY

Communications Act

◆ 47 U.S.C. § 301 (unlicensed operation of a station)

- **Leonard D. Martin, Houston, TX.** \$17,000 NAL issued for violation of 47 U.S.C. §§ 301 (unlicensed operation of equipment on frequencies

assigned to the U.S. Government and the Industrial Radio Service); and 303(n) (failure to allow FCC inspection). Houston, TX Office (3/3/00).

47 C.F.R. Part 11 (Emergency Alert System Rules)

◆ 47 C.F.R. § 11.35 (Equipment Operational Readiness)

- *Morradio, Inc., licensee of WLMA(AM), Greenwood, SC.* \$12,000 NAL issue for violation of 47 C.F.R. § 11.35 (failure to install and maintain EAS equipment) and for violation of 47 C.F.R. §§ 73.1690(b) and 73.3538(a)(4) (failure to license changes in the antenna structure location). Atlanta, GA Office (3/30/00).

NOTICES OF VIOLATION

Communications Act

◆ 47 U.S.C. § 301 (unlicensed operation of a station)

- *Super Cab, Inc., Asbury Park, NJ.* New York, NY Office (3/14/00).
- *John Goodridge Snead, Jr., Virgilina, Virginia.* NOV also issued for violation of 47 U.S.C. § 333 (malicious interference). Norfolk, VA Office (3/22/00).
- *Valley Stream Taxi, Valley Stream, NY.* New York, NY Office (3/22/00).
- *Jonathan A. Romero, KC2AGX, Bronx, NY.* New York, NY Office (3/27/00).
- *Unidos Para Cristo Communications Ministry, Corona, NY.* New York, NY Office (3/27/00).
- *Apollo Transportation, Inc., Yonkers, NY.* New York, NY Office (3/31/00).

47 C.F.R. Part 11 (Emergency Alert System (EAS) Rules)

◆ 47 C.F.R. § 11.15 (EAS Operating Handbook)

- *Cablevision of Massachusetts, Allston, MA.* NOV also issued for violation of 47 C.F.R. §§ 11.21, and 11.61. New England District Office (3/10/00).
- *Booth-Newsome Broadcasting, Inc., WKTE, King, North Carolina.* NOV also issued for violation of 47 C.F.R. §§ 11.32, 11.33, 11.35, 11.52, 11.61, 73.49, 73.51, 73.1225, 73.1400 73.1350, 73.1560, 73.1590, 73.1870, and 73.3526. Norfolk, VA Office (3/13/00).
- *KICO/AM 1490 kHz, Hanson Broadcasting Co.* San Diego, CA Office (3/27/00).
- *First Assembly of God, Gainesville, FL.* NOV also issued for violation of 47 C.F.R. § 11.52 and 11.61. Tampa, FL Office (3/28/00).

- ***KGBA/FM, 100.1 MHz, The Voice of International Christian.*** San Diego, CA Office (3/28/00).

◆ **47 C.F.R. § 11.35 (Equipment Operational Readiness)**

- ***Key West Education B/C Foundation, Key West, FL.*** NOV also issued for violation of 47 C.F.R. §§ 11.52, 11.61, and 73.1820. Tampa, FL Office (3/1/00).
- ***Big Broadcasting Co., Inc., Aurora, IL.*** NOV also issued for violation of 47 C.F.R. §§ 11.61 and 73.1870. Chicago, IL Office (3/3/00).
- ***Radio Group II, WHLD, Buffalo, NY.*** NOV also issued for violation of 47 C.F.R. §§ 11.52 and 11.61. Buffalo, NY Office (3/3/00).
- ***Radio Group II, WMNY, Buffalo, NY.*** NOV also issued for violation of 47 C.F.R. §§ 11.35 and 11.52. Buffalo, NY Office (3/3/00).
- ***Jacor Communications, Inc., WHAM, Rochester, NY.*** NOV also issued for violation of 47 C.F.R. § 11.61. Buffalo, NY Office (3/14/00).
- ***WBJX, Inc., Radio Station WBJX, Racine, Wisconsin.*** NOV also issued for violation of 47 C.F.R. §§ 17.48, 73.49, and 73.1125. Chicago, IL Office (3/15/00).
- ***Girdwood Community Club, Inc..*** NOV also issued for violation of 47 C.F.R. §§ 11.52, 11.61, and 73.1870. Anchorage, AK Office (3/21/00).
- ***Radio One Licenses, Inc. WBOT(FM), Brockton, MA.*** NOV also issued for violation of 47 C.F.R. §§ 73.1125(a), 73.1125(d), 73.1230(a), 73.1350(c)(1), 73.1560(b), 73.1590(a)(1), 73.1800(a), 73.1870(a), and 73.3526(a)(2). New England District Office (3/28/00).

◆ **47 C.F.R. § 11.52 (EAS Code and Attention Signal Monitoring Requirements)**

- ***American Family Association, WARN, Culpeper, VA.*** NOV also issued for violation of 47 C.F.R. §§ 11.61, 73.1560, and 73.1870. Columbia, MD Office (3/21/00).
- ***Gillen Broadcasting Corp., Gainesville, FL.*** NOV also issued for violation of 47 C.F.R. §§ 11.61, 17.4, 73.1820, and 73.1840. Tampa, FL Office (3/28/00).
- ***ADD Radio Group, Inc., WJYT(AM), North Attleboro, MA.*** NOV also issued for violation of 47 C.F.R. §§ 11.61, 73.58, 73.61, 73.62, 73.68, 73.1125, 73.1350, 73.1560, 73.1800, 73.1820, and 73.1870. New England District Office (3/30/00).

◆ **47 C.F.R. § 11.61 (Tests of EAS Procedures)**

- ***Adelphia Communications, Amesbury, MA.*** New England District Office (3/3/00).
- ***Radio Station KKHN, New Wave Broadcasting, L.P., El Paso, TX.*** Honolulu, HI Office (3/14/00).

- ***Radio Station KPOI-FM, New Wave Broadcasting, L.P., El Paso, TX.*** Honolulu, HI Office (3/14/00).
- ***Radio Station KQMQ, New Wave Broadcasting, L.P., El Paso, TX.*** Honolulu, HI Office (3/14/00).
- ***KMSX/FM 95.7 MHz, Citicasters Co.*** San Diego, CA Office (3/16/00).
- ***KQVO/FM, 97.7 MHz, Hanson Broadcasting Co.,*** San Diego, CA Office (3/27/00).
- ***North American Broadcasting Co., Inc., WALE, Greenville, RI.*** NOV also issued for violation of 47 C.F.R. § 17.50, 73.61, 73.62, and 73.1560. New England District Office (3/31/00).

47 C.F.R. Part 17 (Construction, Marking, and Lighting of Antenna Structures)

♦ 47 C.F.R. § 17.4 (Antenna Structure Registration)

- ***Howard County Government, Elicott City, MD.*** Columbia, MD Office (3/2/00).
- ***Howard County Government, Elicott City, MD.*** Columbia, MD Office (3/2/00).
- ***Radio Works, Inc., Aurora, IL.*** Chicago, IL Office (3/3/00).
- ***Crown Atlantic Company, LCC, Cannonsburg, PA.*** Columbia, MD Office (3/7/00).
- ***McCaw Cellular, Minneapolis, MN.*** Saint Paul, MN Office (3/7/00).
- ***Minnegasco, Minneapolis, MN.*** Saint Paul, MN Office (3/7/00).
- ***Queen Anne's County EMS, Centreville, MD.*** Columbia, MD Office (3/7/00).
- ***United Power Association, Elk River, MN.*** Saint Paul, MN Office (3/7/00).
- ***New Jersey Highway Authority, WSB-622, Woodbridge, NJ.*** NOV also issued for violation of 47 C.F.R. § 17.50. New York, NY Office (3/8/00).
- ***Baltimore Gas and Electric Co., Baltimore, MD.*** Columbia, MD Office (3/9/00).
- ***Intermedia Communications, East Syracuse, NY.*** Columbia, MD Office (3/9/00).
- ***Motorola, Inc., Gettysburg, PA.*** Columbia, MD Office (3/9/00).
- ***Grace College of the Bible d.b.a. Grace University.*** Kansas City, MO Office (3/13/00).
- ***TCI Cablevision of Florida, Inc.*** Tampa, FL Office (3/13/00).
- ***Telecom Towers, Inc., d.b.a. RFM Facilitie.*** Kansas City, MO (3/13/00).
- ***WirelessCo, LP d/b/a Sprint PCS, Plantation, IL.*** Tampa, FL Office (3/13/00).
- ***Florida Keys Aqueduct Authority, Key West, FL.*** Tampa, FL Office (3/14/00).
- ***State of Michigan, Lansing, MI.*** Detroit, MI Office (3/16/00).
- ***Emerald City Radio Partners, d/b/a KUMU Radio, Honolulu, HI.*** Honolulu, HI Office (3/17/00).

- ***Passaic County Emergency Management, Paterson, NJ.*** New York, NY Office (3/17/00).
- ***Pinnacle Towers, Inc., Sarasota, FL.*** NOV also issued for violation of 47 C.F.R. § 17.50. New England District Office (3/17/00).
- ***State of New Jersey, West Trenton, NJ.*** New York, NY Office (3/17/00).
- ***University of Massachusetts of Lowell, MA.*** New England District Office (3/20/00).
- ***Montgomery, County of, Rockville, MD.*** Columbia, MD Office (3/21/00).
- ***Montgomery, County of, Rockville, MD.*** Columbia, MD Office (3/21/00).
- ***Alltel Communications, Inc., Little Rock, AR.*** Tampa, FL Office (3/28/00).
- ***KLIN, Inc. d/b/a KEZG-FM.*** Kansas City, MO Office (3/28/00).
- ***Southwest Management, Spencer, Oklahoma.*** NOV also issued for violation of 47 C.F.R. § 17.56. Dallas, TX Office (3/28/00).
- ***Warner LLC, Lincoln, NE.*** Kansas City, MO Office (3/28/00).
- ***AT&T Corporation, Plainview, NY.*** New York, NY Office (3/29/00).

◆ **47 C.F.R. § 17.22 (Specifications)**

- ***New Jersey Transit Rail Operations, Hoboken, NJ.*** New York, NY Office (3/14/00).

◆ **47 C.F.R. § 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment)**

- ***Universal Broadcasting of New York, Inc., WTHE(AM), Mineola, NY.*** NOV also issued for violation of 47 C.F.R. §§ 73.1560, 73.1570, 73.1820, and 73.1870. New York, NY Office (3/8/00).
- ***Pinnacle Towers, Inc., Sarasota, FL.*** NOV also issued for violation of 47 C.F.R. § 17.48. New Orleans, LA Office (3/10/00).

◆ **47 C.F.R. § 17.50 (Painting Requirements)**

- ***City of Chicago, Illinois, IL.*** Chicago, IL Office (3/27/00).

◆ **47 C.F.R. § 17.51 (Time When Lights Should Be Exhibited)**

- ***American Tower, Lancaster, PA.*** Philadelphia, PA Office (3/21/00).

47 C.F.R. Part 22 (Public Mobile Services Rules)

◆ **47 C.F.R. § 22.359 (Emission Masks)**

- ***Metrocall USA Inc., Alexandria, VA.*** Philadelphia, PA Office (3/6/00).

- *Airtouch Paging, Dallas, TX*. New England District Office (3/14/00).

47 C.F.R. Part 73 (Broadcast Radio Service Rules)

- ◆ **47 C.F.R. § 73.44 (AM Transmission System Emission Limitations)**
 - *Grace Broadcasters, Juana Diaz, PR*. San Juan, PR Office (3/21/00).
- ◆ **47 C.F.R. § 73.1560 (Operating Power and Mode Tolerances)**
 - *Atlantic Radio Broadcasting, LLC, WXRS, Ocean City, MD*. Columbia, MD Office (3/20/00).
- ◆ **47 C.F.R. § 73.1590 (Equipment Performance Measurements)**
 - *Straus Communications in VA, Inc., WFTR, Front Royal, VA*. NOV also issued for violation of 47 C.F.R. § 73.3526(e). Columbia, MD Office (3/21/00).
- ◆ **47 C.F.R. § 73.3526 (Public Inspection File Requirements)**
 - *Straus Communications in VA, Inc., WFTR-FM, Front Royal, VA*. Columbia, MD Office (3/21/00).

47 C.F.R. Part 76 (Multichannel Video and Cable Service Rules)

- ◆ **47 C.F.R. § 76.225(c) (Failure to Maintain Records Regarding Commercial Limits in Children's Programs)**
 - *Charter Communications, Inc., Estes Park, Colorado*. NOV also issued for violation of 47 C.F.R. §§ 76.305 and 76.605(a)(12). Denver, CO Office (3/20/00).
- ◆ **47 C.F.R. § 76.605(a)(12) (Cable Signal Leakage)**
 - *St. Marys Cable, St. Marys, PA*. Buffalo, NY Office (3/2/00).
 - *Time Warner Communications, Brandon, FL*. Tampa, FL Office (3/7/00).
 - *MediaOne, Plymouth, MI*. Detroit, MI Office (3/15/00).
 - *Time Warner Entertainment, Livonia, MI*. Detroit, MI Office (3/15/00).
 - *Garden State Cable TV, Inc., Cherry Hill, N.J.* Philadelphia, PA Office (3/21/00).
 - *American Media, Greenwood, NE*. Kansas City, MO Office (3/24/00).
 - *Galaxy Cable, Bennet, NE*. Kansas City, MO Office (3/28/00).

47 C.F.R. Part 80 (Stations in the Maritime Service)

◆ **47 C.F.R. § 80.89 (Unauthorized Transmissions)**

- *Pete Arrobio*. Honolulu, HI Office (3/20/00).
- *WJG Maritel Corporation*. Honolulu, HI Office (3/24/00).

47 C.F.R. Part 90 (Private Land Mobile Services Rules)

◆ **47 C.F.R. § 90.135 (Modification of License)**

- *New Style Car & Limo Incorporated, WPNS-568, Yonkers, NY*. NOV also issued for violation of 47 C.F.R. § 90.425(a). New York, NY Office (3/2/00).
- *Safe Travel, Inc., Chicago, IL*. Chicago, IL Office (3/21/00).
- *Comcast Cablevision of Mercer County, Inc., KLY633, Upper Merion, PA*. Philadelphia, PA Office (3/29/00).

◆ **47 C.F.R. § 90.157 (Discontinuance of Station Operation)**

- *Dudlik Construction Co., Inc., WRU742, Huntinton Valley, PA*. Philadelphia, PA Office (3/29/00).
- *John S. Posen, Inc., WII34 and WPNU211, Centre Square, PA*. Philadelphia, PA Office (3/29/00).

◆ **47 C.F.R. § 90.173 (Policies Governing the Assignment of Frequencies)**

- *Area Surveying Consultants, Inc., Colorado Springs, CO*. NOV also issued for violation of 47 C.F.R. §§ 90.233 and 90.403. Denver, CO Office (3/8/00).

◆ **47 C.F.R. § 90.210 (Emission Masks)**

- *Metrocall USA, Inc., Alexandria, VA*. NOV also issued for violation of 47 C.F.R. § 90.425. Tampa, FL Office (3/15/00).

◆ **47 C.F.R. § 90.403 (General Operating Requirements)**

- *Buxmont Transportation, Willow Grove, PA, KGC375*. Philadelphia, PA Office (3/7/00).
- *Statcom Communications Corporation, New York, NY – WPHC348*. Philadelphia, PA Office (3/15/00).
- *Statcom Communications Corp., WPHC348, Staten Island, NY*. Philadelphia, PA Office (3/16/00).

◆ **47 C.F.R. § 90.425 (Station Identification)**

- *Fairview Hospital, Minneapolis, MN.* Saint Paul, MN Office (3/7/00).
- *Fairview – Southdale Hospital, Edina, MN.* Saint Paul, MN Office (3/7/00).
- *Licom Communications, Bristol, PA, WPBV971.* Philadelphia, PA Office (3/7/00).
- *Transit American, Inc., Philadelphia, PA.* Philadelphia, PA Office (3/7/00).
- *Ryder Student Transportation Service of Framingham, MA.* New England District Office (3/27/00).

47 C.F.R. Part 95 (Citizens Band Radio Service)

◆ 47 C.F.R. § 95.409 (Equipment)

- *Louis K. Gleason, Cleveland, OH.* NOV also issued for violation of 47 C.F.R. §§ 95.410 and 95.411. Detroit, MI Office (3/15/00).
- *Charles Rose, Lakeland, FL.* NOV also issued for violation of 47 C.F.R. § 95.411. Tampa, FL Office (3/28/00).
- *Edward Mills, St. Augustine, FL.* Tampa, FL Office (3/28/00).

47 C.F.R. Part 97 (Amateur Radio Service)

◆ 47 C.F.R. § 97.307 (Emission Standards)

- *Lawrence C. Metzger, Bordentown, N2GBK, Pittsburgh, PA.* Philadelphia, PA Office (3/16/00).

CITATIONS

Communications Act

- ◆ **47 U.S.C. § 302 and/or 47 C.F.R. § 2.803 (sale and marketing of non-certified equipment)**
 - *National Wholesale Liquidators, Inc., Flushing, NY.* New York, NY Office (3/14/00).
 - *Electronic Wonders Computers & Digital Imaging, New York, NY.* New York, NY Office (3/21/00).
 - *T.P. Electronics, Chicago, IL.* Chicago, IL Office (3/23/00).